

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2232 of 2021

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Devendra Kumar Yadav Son of Bindeshwar Rai Resident of village Nimahi
P.S Bajpatti P.O. Pachra, District Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Rural Works Development Department, Government of Bihar, Patna.
2. Superintendent Engineering Rural Works Development Department, Sitamarhi.
3. Executive Engineer Rural Works Development Department, Sitamarhi.
4. Sub Divisional Engineer Rural Works Development Department, Sitamarhi.
5. Assistant Engineer Rural Works Development Department, Sitamarhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate
For the Respondent/s : Mr. Satya Vrat, AC to GP 10

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

and

HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH)

4 10-12-2021 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

The petitioner has put to challenge a communication dated 08.09.2020 issued by the Executive Engineer, Rural Works Department, Works Division, Sitamarhi, whereby, for not executing the work by the petitioner in accordance with the agreement entered into between the petitioner and the Department, a recommendation has been made for the



petitioner's debarment from future contract.

In our opinion, this writ application to the extent the same puts to challenge the recommendation for debarment as contained in the communication dated 08.09.2020 is premature and is accordingly dismissed.

As regards other aspect, it goes without saying that if any dispute arises between the parties to the agreement of a contract, either of them shall be at liberty to invoke grievance redressal mechanism as provided under the agreement or any other law for the time being in force.

(Chakradhari Sharan Singh, J)

(Madhuresh Prasad, J)

Rajesh/-

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